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| EXAMINER | |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/596,904 | BHATIA ET AL. | |
| | Examiner | Art Unit | |
| | NAJEEB ANSARI | 2468 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 June 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *See Continuation Sheet*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :10/16/2007; 04/21/2009; 12/02/2009; 08/19/2010; 08/20/2010.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 101*

1. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 26, 28, 37-44 are directed towards transitory propagating signals, *perse.* The United States Patent and Trademark Office (USPTO) is obliged to give claims their broadest reasonable interpretation consistent with the specification during proceedings before the USPTO. *See In re Zletz,* 893 F.2d 319 (Fed. Cir. 1989) (during patent examination the pending claims must be interpreted as broadly as their terms reasonably allow). The broadest reasonable interpretation of a claim drawn to a computer readable medium (also called machine readable medium and other such variations) typically covers forms of non-transitory tangible media and transitory propagating signals *per se* in view of the ordinary and customary meaning of computer readable media, particularly when the specification is silent. *See* MPEP 2111.01. When the broadest reasonable interpretation of a claim covers a signal *per se,* the claim must be rejected under 35 U.S.C. § 101 as covering non-statutory subject matter. *See In re Nuijten,* 500 F.3d 1346, 1356-57 (Fed. Cir. 2007) (transitory embodiments are not directed to statutory subject matter) and *Interim Examination Instructions for Evaluating Subject Matter Eligibility Under 35 U.S.C. § 101,* Aug. 24, 2009; p. 2.

A claim drawn to such a computer readable medium that covers both transitory and non-transitory embodiments may be amended to narrow the claim to cover only

statutory embodiments to avoid a rejection under 35 U.S.C. § 101 by adding the limitation "non-transitory" to the claim. *CfAnimals - Patentability,* 1077 Off. Gaz. Pat. Office 24 (April 21, 1987) (suggesting that applicants add the limitation "non-human" to a claim covering a multi-cellular organism to avoid a rejection under 35 U.S.C. § 101). Such an amendment would typically not raise the issue of new matter, even when the specification is silent because the broadest reasonable interpretation relies on the ordinary and customary meaning that includes signals *perse.* The limited situations in which such an amendment could raise issues of new matter occur, for example, when the specification does not support a non-transitory embodiment because a signal *per se* is the only viable embodiment such that the amended claim is impermissibly broadened beyond the supporting disclosure. *See, e.g., Gentry Gallery, Inc. v. Berkline Corp.,* 134F.3d 1473 (Fed. Cir. 1998).

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 27-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Ladegaard (US 2003/0137942) hereinafter “Ladegaard”.

**Regarding Claim 27,** Ladegaard teaches **A method, comprising: identifying a source associated with an ingress call** (Ladegaard, paragraph 0015, network

selection system for network selection in a first network of a second network for connection with the first network for data transmission with independent routing of session control and data payload; paragraph 0044, where calling terminal 18 transmits the desired quality of service to the first network 1 for completing the call);

**applying a common source policy to the ingress call based on the source** (Ladegaard, paragraph 0037, where the generation of the network selection information are based on a routing policy set by the operator of the first network 1);

**tagging a parameter value associated with the ingress call based on the common source policy to produce a tagged parameter value** (Ladegaard, paragraph 0015, where network parameter values characterizing the first network for communication from the first network to the second network, the network selector being adapted for generation of network selection information based on the parameter values and a selection policy defined in the first network); **and**

**matching an egress call associated with the ingress call based on the tagged parameter value** (Ladegaard, paragraph 0017, where The dedicated selection information is forwarded to a boarder element that resides at the edge of the first network and routes data from the first network to other networks. Based on the dedicated selection information, the boarder element selects a second network and transmits the data payload between the first network and the second network).

**Regarding Claim 28,** Ladegaard teaches **A computer program stored on a computer-readable medium, the computer program comprising: an identifying**

**instruction configured to identify a source associated with an ingress call** (Ladegaard, paragraph 0015, network selection system for network selection in a first network of a second network for connection with the first network for data transmission with independent routing of session control and data payload; paragraph 0044, where calling terminal 18 transmits the desired quality of service to the first network 1 for completing the call)**;**

**an applying instruction configured to apply a common source policy to the ingress call based on the source**(Ladegaard, paragraph 0037, where the generation of the network selection information are based on a routing policy set by the operator of the first network 1)**;**

**a tagging instruction configured to tag a parameter value associated with the ingress call based on the common source policy to produce a tagged parameter value** (Ladegaard, paragraph 0015, where network parameter values characterizing the first network for communication from the first network to the second network, the network selector being adapted for generation of network selection information based on the parameter values and a selection policy defined in the first network)**; and**

**a matching instruction configured to match an egress call with a corresponding ingress call based on the tagged parameter value** (Ladegaard, paragraph 0017, where The dedicated selection information is forwarded to a boarder element that resides at the edge of the first network and routes data from the first network to other networks. Based on the dedicated selection information, the boarder

element selects a second network and transmits the data payload between the first network and the second network).

**Regarding Claim 29,** Ladegaard teaches **A method, comprising; matching a source endpoint to an ingress call when the ingress call is associated with a specifically-determinable source endpoint** (Ladegaard, paragraph 0015, network selection system for network selection in a first network of a second network for connection with the first network for data transmission with independent routing of session control and data payload; paragraph 0044, where calling terminal 18 transmits the desired quality of service to the first network 1 for completing the call)**; and**

**identifying a first destination from a plurality of destinations associated with the ingress call when the ingress call is not associated with a specifically-determinable source endpoint** (Ladegaard, paragraph 0017, where The dedicated selection information is forwarded to a boarder element that resides at the edge of the first network and routes data from the first network to other networks. Based on the dedicated selection information, the boarder element selects a second network and transmits the data payload between the first network and the second network)**,**

**the identifying being based on at least one of a filter parameter, an administrative-policy parameter or a run-time criteria parameter** (Ladegaard, paragraph 0036, where advertisement policy for each communication channel 10 which is a deployment of the business relationship between the two operators of the respective networks).

**Regarding Claim 30,** Ladegaard teaches the method of claim 29. Ladegaard further teaches **abandoning a call attempt to the first destination when a maximum number of call attempts for a call source has been reached** (Ladegaard, paragraph 0065, where The remote boarder element 8 accepts or rejects the request depending on whether or not it can fulfill the requirements; paragraph 0044, where For example, at the egress LSR BE(2), the trunk 16 from BE(2) to BE(5) can not be selected, since the amount of free bandwidth is insufficient for fulfilling the requirement set for the connectivity path).

**Regarding Claim 31,** Ladegaard teaches the method of claim 29. Ladegaard further teaches **abandoning a call attempt to the first destination when a maximum post-dial delay for a call source has been reached** (Ladegaard, paragraph 0065, where The remote boarder element 8 accepts or rejects the request depending on whether or not it can fulfill the requirements; paragraph 0044, where For example, at the egress LSR BE(2), the trunk 16 from BE(2) to BE(5) can not be selected, since the amount of free bandwidth is insufficient for fulfilling the requirement set for the connectivity path).

**Regarding Claim 32,** Ladegaard teaches the method of claim 29. Ladegaard further teaches **wherein the filter parameter is at least one of a filter priority or a filter match strength** (Ladegaard, paragraph 0036, where advertisement policy for

each communication channel 10 which is a deployment of the business relationship between the two operators of the respective networks; paragraph 0021, where quality of service parameters are based on priority, security etc.).

**Regarding Claim 33,** Ladegaard teaches the method of claim 29. Ladegaard further teaches **wherein the administrative-policy parameter is at least one of a call-peer priority or an administration filter policy** (Ladegaard, paragraph 0036, where advertisement policy for each communication channel 10 which is a deployment of the business relationship between the two operators of the respective networks; paragraph 0021, where quality of service parameters are based on priority, security etc.).

**Regarding Claim 34,** Ladegaard teaches the method of claim 29. Ladegaard further teaches **wherein the run-time criteria parameter is at least one of a time-of-day filtering or a load-balancing** (Ladegaard, paragraph 0030, where bearer establishment protocol for establishment of a transmission path for the data payload having a desired data transmission capability, such as data rate, latency, jitter, data loss, etc, whereby presence of the specified data transmission capability in the data payload transmission path is guaranteed throughout the duration of the communication session).

**Regarding Claim 35,** Ladegaard teaches the method of claim 29. Ladegaard further teaches **wherein the identifying is further based on at least one of a least recently used destination or a percent utilization of a destination** (Ladegaard, paragraph 0030, where bearer establishment protocol for establishment of a transmission path for the data payload having a desired data transmission capability, such as data rate, latency, jitter, data loss, etc, whereby presence of the specified data transmission capability in the data payload transmission path is guaranteed throughout the duration of the communication session)**.**

**Regarding Claim 36,** Ladegaard teaches the method of claim 29. Ladegaard further teaches **wherein the run-time criteria parameter is at least one of an ISDN/SIP response code for run-time or a redirect** (Ladegaard, paragraph 0044, operation of the session initiating protocol in relation to establishment of the session control path)**.**

**Regarding Claim 37,** Ladegaard teaches **A computer program stored on a computer-readable medium, the computer program comprising:**

**a matching instruction to match a source endpoint to an ingress call when the ingress call is associated with a specifically-determinable source endpoint** (Ladegaard, paragraph 0015, where network selection system for network selection in a first network of a second network for connection with the first network for data transmission with independent routing of session control and data payload; paragraph

0044, where calling terminal 18 transmits the desired quality of service to the first network 1 for completing the call)**; and**

**an identifying instruction to identify a first destination from a plurality of destinations associated with the ingress call when the ingress call is not associated with a specifically-determinable source endpoint** (Ladegaard, paragraph 0017, where The dedicated selection information is forwarded to a boarder element that resides at the edge of the first network and routes data from the first network to other networks. Based on the dedicated selection information, the boarder element selects a second network and transmits the data payload between the first network and the second network)**, the identifying being based on at least one of a filter parameter, an administrative-policy parameter or a run-time criteria parameter** (Ladegaard, paragraph 0036, where advertisement policy for each communication channel 10 which is a deployment of the business relationship between the two operators of the respective networks)**.**

**Regarding Claim 38,** Ladegaard teaches the computer program stored on a computer-readable medium of claim 37. Ladegaard further teaches **abandoning a call attempt to the first destination when a maximum number of call attempts for a call source has been reached** (Ladegaard, paragraph 0065, where The remote boarder element 8 accepts or rejects the request depending on whether or not it can fulfill the requirements; paragraph 0044, where For example, at the egress LSR BE(2), the trunk

16 from BE(2) to BE(5) can not be selected, since the amount of free bandwidth is insufficient for fulfilling the requirement set for the connectivity path).

**Regarding Claim 39,** Ladegaard teaches the computer program stored on a computer-readable medium of claim 37. Ladegaard further teaches **abandoning a call attempt to the first destination when a maximum post-dial delay for a call source has been reached** (Ladegaard, paragraph 0065, where The remote boarder element 8 accepts or rejects the request depending on whether or not it can fulfill the requirements; paragraph 0044, where For example, at the egress LSR BE(2), the trunk 16 from BE(2) to BE(5) can not be selected, since the amount of free bandwidth is insufficient for fulfilling the requirement set for the connectivity path).

**Regarding Claim 40,** Ladegaard teaches the computer program stored on a computer-readable medium of claim 37. Ladegaard further teaches **wherein the filter parameter is at least one of a filter priority or a filter match strength** (Ladegaard, paragraph 0036, where advertisement policy for each communication channel 10 which is a deployment of the business relationship between the two operators of the respective networks; paragraph 0021, where quality of service parameters are based on priority, security etc.).

**Regarding Claim 41,** Ladegaard teaches the computer program stored on a computer-readable medium of claim 37. Ladegaard further teaches **wherein the**

**administrative-policy parameter is at least one of a call-peer priority or an administration filter policy** (Ladegaard, paragraph 0036, where advertisement policy for each communication channel 10 which is a deployment of the business relationship between the two operators of the respective networks; paragraph 0021, where quality of service parameters are based on priority, security etc.)**...**

**Regarding Claim 42,** Ladegaard teaches the computer program stored on a computer-readable medium of claim 37. Ladegaard further teaches **wherein the run-time criteria parameter is at least one of a time-of-day filtering or a load-balancing**(Ladegaard, paragraph 0030, where bearer establishment protocol for establishment of a transmission path for the data payload having a desired data transmission capability, such as data rate, latency, jitter, data loss, etc, whereby presence of the specified data transmission capability in the data payload transmission path is guaranteed throughout the duration of the communication session)**.**

**Regarding Claim 43,** Ladegaard teaches the computer program stored on a computer-readable medium of claim 37. Ladegaard further teaches **wherein the identifying is further based on at least one of a least recently used destination or a percent utilization of a destination** (Ladegaard, paragraph 0030, where bearer establishment protocol for establishment of a transmission path for the data payload having a desired data transmission capability, such as data rate, latency, jitter, data loss, etc, whereby presence of the specified data transmission capability in the data

payload transmission path is guaranteed throughout the duration of the communication session).

**Regarding Claim 44,** Ladegaard teaches the computer program stored on a computer-readable medium of claim 37. Ladegaard further teaches **wherein the run-time criteria parameter is at least one of an ISDN/SIP response code for run-time or a redirect** (Ladegaard, paragraph 0044, operation of the session initiating protocol in relation to establishment of the session control path).

### *Claim Rejections - 35 USC § 103*

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

> invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayer et al. (US 2004/0005892 A1) hereinafter "Mayer" in further view of Ladegaard.

**Regarding Claim 1,** Mayer teaches **A method** equivalent to the present application. Specifically, Mayer teaches a system and method for synchronizing operating parameters among telephone network operators. Each operator operates a mobile network according to values of operating parameters maintained by the operator (Mayer, paragraph 0019, see also paragraphs 0009-0018, 0051, Fig. 6).

Mayer further teaches **filtering an ingress call based on a plurality of ingress-call parameter values** (Mayer, paragraph 0054, where The IS 60 (Intelligent Sockets) of each operator 20, and SCCP gateways 34 will have access to stored working or production parameters and values of their respective operator. The production parameters/values are those used by the operator to receive, handle, route, etc. calls; see also claim 10);

**converting a filtered ingress-call parameter value … to an egress-call parameter value…, respectively** (Mayer, paragraph 0059, where IS 60's operators

home parameters will flow from the operator's production parameters/values 80/82, etc., to its IS 60 (and dataset 98), and from there through the data network 68 to the CS 62 (or other IS 60s in the case of a peer-to-peer type architecture; see also Fig. 9, outgoing home parameters)**;**

**filtering an egress call based on a plurality of egress-call parameter values, the plurality of egress-call parameter values including the egress-call parameter value** (Mayer, paragraph 0059, where roaming parameters of other operators will flow in from the CS 62 through the data network 68, will be stored or cached in the roaming parameters dataset 100, and from there will flow to the various production parameters (e.g. parameters/values 84/86) of the various telecommunications devices of the IS 60's operator; see also Fig. 9, incoming roaming parameters)**; and**

**modifying a parameter value for the egress call based on … the egress-call-peer parameter value** (Mayer, paragraph 0062, where receiving IS will detect 132 the change at its receiving IS and accordingly update production roaming parameters based on the IS's roaming parameters dataset))**.**

Although Mayer teaches a peer-to-peer type architecture wherein parameter values may be sent to other Intelligent sockets, Mayer is silent with respect to wherein ingress/egress call-peer parameter values are used to modify parameter values to filter ingress/egress calls.

In the same field of endeavor, Ladegaard teaches a system and method for providing network selection connectivity. Specifically, Ladegaard teaches a network selection system and method for network selection in a first network of a second

network for connection with the first network for data transmission with independent routing of session control and data payload, comprising a network selector having a peer with a storage for holding network parameter values characterizing the second network communicated from the second network to the first network and network parameter values characterizing the first network for communication from the first network to the second network, the network selector being adapted for generation of network selection information based on the parameter values and a selection policy defined in the first network, i.e. the selection policy is defined by the operator of the first network and is accessible by the network selection system (Ladegaard, paragraph 0015-0018, see also paragraphs 0012-0020, 0036-0038, Fig. 2). Thus Ladegaard teaches wherein a peer of a first network associates with parameter values of a first network in a second network to filter calls. Accordingly, it would have been obvious at the time of the invention to have incorporated the teachings of Ladegaard with the invention of Mayer. Both prior arts relate to managing parameters between telecommunication operators in multiple networks (see abstracts of Mayer & Ladegaard). Mayer provides motivation by stating wherein home parameters at an IS 60's operator may flow to other IS 60s in the case of a peer-to-peer type architecture). Thus one of ordinary skill in the art would have been motivated to combine the teachings of call peer parameters as in Ladegaard with the invention of Mayer to modify parameter values to filter ingress/egress calls as in the present application.

**Regarding Claim 2,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches **tagging the ingress call based on the ingress-call parameter values and the egress-call-peer parameter values, the modifying for the ingress call being based on the tagged ingress call** (Ladegaard, paragraph 0037, where The generation of the network selection information are based on a routing policy set by the operator of the first network 1. The routing policy is a set of criteria based on which the boarder elements 8 establish connectivity).

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 3,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches **associating the ingress call with an ingress-call peer based on the ingress-call parameter values and the ingress-call-peer parameter values** (Ladegaard, paragraph 0015, where a network selector having a peer with a storage for holding network parameter values characterizing the second network communicated from the second network to the first network and network parameter values characterizing the first network for communication from the first network to the second network).

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 4,** Mayer-Ladegaard teaches the method of claim 1. Mayer-Ladegaard further teaches **identifying the ingress-call source using the ingress-call parameter values** (Mayer, paragraph 0054, where The production parameters/values

are those used by the operator to receive, handle, route, etc. calls), **and the ingress-call-peer parameter values** (Ladegaard, paragraph 0015, where a peer with a storage for holding network parameter values characterizing the second network communicated from the second network to the first network and network parameter values characterizing the first network for communication from the first network to the second network)**;**

**applying a common source policy to the identified ingress call** (Ladegaard, paragraph 0037, where the generation of the network selection information are based on a routing policy set by the operator of the first network 1)**; and**

**filtering the identified ingress call based on the common source policy** (Ladegaard, paragraph 0038, where The routing policy is a set of criteria based on which the boarder elements 8 establish connectivity).

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 5,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches **selecting a first destination from an identified group of destinations for the ingress call based on a criterion, the criterion being at least one selected from a filter priority, a call-peer priority, a filter match strength, or an administration filter policy** (Ladegaard, paragraph 0036, where advertisement policy for each communication channel 10 which is a deployment of the business relationship between the two operators of the respective networks; paragraph 0021, where quality of service parameters are based on priority, security etc.)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 6,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches **selecting a first destination from an identified group of destinations for the ingress call based on time-of-day filtering or load-balancing** (Ladegaard, paragraph 0030, where bearer establishment protocol for establishment of a transmission path for the data payload having a desired data transmission capability, such as data rate, latency, jitter, data loss, etc, whereby presence of the specified data transmission capability in the data payload transmission path is guaranteed throughout the duration of the communication session)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 7,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches **selecting a first destination from an identified group of destinations for the ingress call based on at least one of a least recently used destination or a percent utilization of a destination** (Ladegaard, paragraph 0030, where bearer establishment protocol for establishment of a transmission path for the data payload having a desired data transmission capability, such as data rate, latency, jitter, data loss, etc, whereby presence of the specified data transmission capability in the data payload transmission path is guaranteed throughout the duration of the communication session)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 8,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches **further comprising selecting a first destination from an identified group of destinations for the ingress call based on at least one of an ISDN/SIP response code for run-time or a redirect** (Ladegaard, paragraph 0044, operation of the session initiating protocol in relation to establishment of the session control path)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 9,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches **mapping an error code for a dropped call when the error code is returned back to a caller, the mapping including at least one of ceasing attempts to terminate the ingress call or redirecting the ingress call** (Ladegaard, paragraph 0065, where The remote boarder element 8 accepts or rejects the request depending on whether or not it can fulfill the requirements. Upon a rejection, the boarder element 8 selects another remote boarder element)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 10,** Mayer-Ladegaard teaches the method of claim 1. Mayer further teaches **associating the ingress call with an ingress-call peer based on an automatic number identification (ANI) associated with the ingress call** (Mayer, paragraph 0059, where MSC makes use of a Mobile Subscriber Roaming Number

(MSRN) to route an incoming call to a subscriber roaming in an area serviced by another network operator**).**

**Regarding Claim 11,** Mayer-Ladegaard teaches the method of claim 1. Mayer-Ladegaard further teaches **associating the ingress call with an ingress-call peer** (Ladegaard, as stated in claim 1 above) **based on the plurality of ingress-call parameter values** (Mayer, paragraph 0054, where The production parameters/values are those used by the operator to receive, handle, route, etc. calls)**, the plurality of ingress-call-peer parameter values** (Ladegaard, as stated in claim 1 above) **and an automatic number identification (ANI) associated with a call origination and common to all terminations** (Mayer, paragraph 0059, where MSC makes use of a Mobile Subscriber Roaming Number (MSRN) to route an incoming call to a subscriber roaming in an area serviced by another network operator**).**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 12,** Mayer-Ladegaard teaches the method of claim 1. Mayer-Ladegaard further teaches **associating the ingress call with an ingress-call-peer based on the plurality of ingress-call parameter values and the plurality of ingress-call-peer parameter values** (Ladegaard, paragraph 0015, where a network selector having a peer with a storage for holding network parameter values characterizing the second network communicated from the second network to the first network and network parameter values characterizing the first network for

communication from the first network to the second network)**, and an automatic number identification (ANI) associated with the ingress call** (Mayer, paragraph 0059, where MSC makes use of a Mobile Subscriber Roaming Number (MSRN) to route an incoming call to a subscriber roaming in an area serviced by another network operator)**;**

**tagging the ingress call to produced a tagged ingress call (**Ladegaard, paragraph 0037, where The generation of the network selection information are based on a routing policy set by the operator of the first network 1. The routing policy is a set of criteria based on which the boarder elements 8 establish connectivity)**;**

**instantiating the egress call based on the tagged ingress call** (Mayer, paragraph 0054, where The production parameters/values are those used by the operator to receive, handle, route, etc. calls; see also claim 10)**; and**

**filtering the egress call based on the tagged ingress call** (Mayer, paragraph 0054, where The production parameters/values are those used by the operator to receive, handle, route, etc. calls; see also claim 10)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 13,** Mayer-Ladegaard teaches the method of claim 1. Mayer-Ladegaard further teaches **associating the ingress call with an egress-call peer based on the plurality of egress-call parameter values, the plurality of ingress-call-peer parameter values** (Ladegaard, paragraph 0015, where a network selector having a peer with a storage for holding network parameter values characterizing the

second network communicated from the second network to the first network and network parameter values characterizing the first network for communication from the first network to the second network);

**and an automatic number identification (ANI) associated with a call termination and common to all originations** (Mayer, paragraph 0059, where MSC makes use of a Mobile Subscriber Roaming Number (MSRN) to route an incoming call to a subscriber roaming in an area serviced by another network operator**).**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 14,** Mayer-Ladegaard teaches the method of claim 1. Mayer-Ladegaard further teaches **tagging the ingress call (**Ladegaard, paragraph 0037, where The generation of the network selection information are based on a routing policy set by the operator of the first network 1. The routing policy is a set of criteria based on which the boarder elements 8 establish connectivity) **based on a required class of service** (Ladegaard, paragraph 0036, where advertisement policy for each communication channel 10 which is a deployment of the business relationship between the two operators of the respective networks; paragraph 0021, where quality of service parameters are based on priority, security etc.)**; and**

**the modifying the parameter value for the ingress call being based on the tagged ingress call** (Mayer, paragraph 0062, where receiving IS will detect 132 the change at its receiving IS and accordingly update production roaming parameters based on the IS's roaming parameters dataset)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 15,** Mayer-Ladegaard teaches the method of claim 1. Mayer-Ladegaard further teaches **tagging the ingress call** (Ladegaard, paragraph 0037, where The generation of the network selection information are based on a routing policy set by the operator of the first network 1. The routing policy is a set of criteria based on which the boarder elements 8 establish connectivity) **based on automatic number identification (ANI) associated with the ingress call** (Mayer, paragraph 0059, where MSC makes use of a Mobile Subscriber Roaming Number (MSRN) to route an incoming call to a subscriber roaming in an area serviced by another network operator)**; and**

**selecting a termination based on the tagged ingress call** (Ladegaard, paragraph 0037, where The routing policy is a set of criteria based on which the boarder elements 8 establish connectivity)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 16,** Mayer-Ladegaard teaches the method of claim 1. Mayer-Ladegaard further teaches **tagging the ingress call** (Ladegaard, paragraph 0037, where The generation of the network selection information are based on a routing policy set by the operator of the first network 1. The routing policy is a set of criteria based on which the boarder elements 8 establish connectivity) **based on a dialed number identification** (Mayer, paragraph 0059, where MSC makes use of a Mobile Subscriber

Roaming Number (MSRN) to route an incoming call to a subscriber roaming in an area serviced by another network operator**); and**

**terminating the ingress call based on a tag applied during the tagging** (Ladegaard, paragraph 0037, where The routing policy is a set of criteria based on which the boarder elements 8 establish connectivity)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 17,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches **selecting a first destination for the ingress call among an identified group of destinations based on a criterion** (Ladegaard, paragraph 0037, where The routing policy is a set of criteria based on which the boarder elements 8 establish connectivity)**; and abandoning a call attempt to the first destination when a maximum number of call attempts for a call source has been reached** (Ladegaard, paragraph 0065, where The remote boarder element 8 accepts or rejects the request depending on whether or not it can fulfill the requirements; paragraph 0044, where For example, at the egress LSR BE(2), the trunk 16 from BE(2) to BE(5) can not be selected, since the amount of free bandwidth is insufficient for fulfilling the requirement set for the connectivity path)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 18,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches **selecting a first destination for the ingress call among**

**an identified group of destinations based on a criterion** (Ladegaard, paragraph 0037, where The routing policy is a set of criteria based on which the boarder elements 8 establish connectivity)**;; and abandoning a call attempt to the first destination when a maximum post-dial delay for a call source has been reached** (Ladegaard, paragraph 0065, where The remote boarder element 8 accepts or rejects the request depending on whether or not it can fulfill the requirements; paragraph 0044, where For example, at the egress LSR BE(2), the trunk 16 from BE(2) to BE(5) can not be selected, since the amount of free bandwidth is insufficient for fulfilling the requirement set for the connectivity path)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 19,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches **instantiating a call peer and a device based on the plurality of ingress-call parameter values, the plurality of egress-call-peer parameter values** (Ladegaard, as stated in claim 1 above)**, and the plurality of egress-call parameter values when the call peer does not exist and the when device does not exist** (Mayer, paragraph 0055, where initialize the parameters/values of an operator (or IS 60 thereof) that has entered a new roaming agreement; paragraph 0082, where add 268 the new roaming partner in an update message for the CS roaming connection list).

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 20,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches

**identifying a source of the ingress call based on a qualifier** (Ladegaard, paragraph 0022, where At least one of the network parameters may relate to available data transmission capability, e.g. as defined by a quality of service parameter)**; and**

**applying a routing policy to the ingress call based on the source** (Ladegaard, paragraph 0030, where transmission path for the data payload having a desired data transmission capability).

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 21,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches **identifying a source of the ingress call based on at least one of a layer 2 qualifier or a layer 3 qualifier** (Ladegaard, paragraph 0022, where At least one of the network parameters may relate to available data transmission capability, e.g. as defined by a quality of service parameter)**; and**

**applying a routing policy to the ingress call based on the source** (Ladegaard, paragraph 0030, where transmission path for the data payload having a desired data transmission capability).

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 22,** Mayer-Ladegaard teaches the method of claim 1. Mayer-Ladegaard further teaches **identifying a source of the ingress call based on a**

**virtual LAN identifier associated with the ingress call** (Mayer, paragraph 0093, where exchange of roaming parameters between cellular operators and small WLAN internet providers)**; and**

**applying a routing policy to the ingress call based on the source** (Ladegaard, paragraph 0030, where transmission path for the data payload having a desired data transmission capability).

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 23,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches **identifying a source of the ingress call based on at least one of a layer 2 qualifier or a layer 3 qualifier** (Ladegaard, paragraph 0022, where At least one of the network parameters may relate to available data transmission capability, e.g. as defined by a quality of service parameter)**; and**

**applying a marker to the ingress call based on the source, the marker adapted to be used by an egress network for quality of service** (Ladegaard, paragraph 0025, where peer may communicate parameters to a corresponding peer in a second network in accordance with an advertising policy defined in the first network)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 24,** Mayer-Ladegaard teaches the method of claim 1. Mayer-Ladegaard further teaches **identifying the source of the ingress call based on a DiffServ/TOS marking associated with the ingress call** (Mayer, paragraph 0088,

where The CS receives the update message, updates its own database accordingly, and may then relay the update message (or corresponding messages) to operator A's roaming partners (network operators that have signed a roaming agreement with operator A)**; and**

**applying a routing policy to the ingress call based on the source** (Ladegaard, paragraph 0030, where transmission path for the data payload having a desired data transmission capability)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 25,** Mayer-Ladegaard teaches the method of claim 1. Ladegaard further teaches **identifying a source of the ingress call based on a priority-bit identifier associated with the ingress call** (Ladegaard, paragraph 0021, where quality of service parameters are based on priority, security etc.)**; and**

**applying a routing policy to the ingress call based on the source** (Ladegaard, paragraph 0030, where transmission path for the data payload having a desired data transmission capability)**.**

Examiner recites same reasoning to combine as stated in independent claim 1.

**Regarding Claim 26,** Mayer teaches **A computer program stored on a computer-readable medium, the computer program comprising: a first filtering instruction to filter an ingress call based on a plurality of ingress-call parameter values** (Mayer, paragraph 0054, where The IS 60 (Intelligent Sockets) of each operator

20, and SCCP gateways 34 will have access to stored working or production parameters and values of their respective operator. The production parameters/values are those used by the operator to receive, handle, route, etc. calls)**;**

**a converting instruction to convert a filtered ingress-call parameter value … from a plurality of ingress-call-peer parameter values to an egress-call parameter value …, respectively** (Mayer, paragraph 0059, where IS 60's operators home parameters will flow from the operator's production parameters/values 80/82, etc., to its IS 60 (and dataset 98), and from there through the data network 68 to the CS 62 (or other IS 60s in the case of a peer-to-peer type architecture; see also Fig. 9, outgoing home parameters)**;**

**a second filtering instruction configured to filter an egress call based on a plurality of egress-call parameter values, the plurality of egress-call parameter values including the egress-call parameter value** (Mayer, paragraph 0059, where roaming parameters of other operators will flow in from the CS 62 through the data network 68, will be stored or cached in the roaming parameters dataset 100, and from there will flow to the various production parameters (e.g. parameters/values 84/86) of the various telecommunications devices of the IS 60's operator; see also Fig. 9, incoming roaming parameters)**; and**

**a second modifying instruction configured to modify a parameter value for the egress call …** (Mayer, paragraph 0062, where receiving IS will detect 132 the change at its receiving IS and accordingly update production roaming parameters based on the IS's roaming parameters dataset))**.**

Although Mayer teaches a peer-to-peer type architecture wherein parameter values may be sent to other Intelligent sockets, Mayer is silent with respect to wherein ingress/egress call-peer parameter values are used to modify parameter values to filter ingress/egress calls.

In the same field of endeavor, Ladegaard teaches a system and method for providing network selection connectivity. Specifically, Ladegaard teaches a network selection system and method for network selection in a first network of a second network for connection with the first network for data transmission with independent routing of session control and data payload, comprising a network selector having a peer with a storage for holding network parameter values characterizing the second network communicated from the second network to the first network and network parameter values characterizing the first network for communication from the first network to the second network, the network selector being adapted for generation of network selection information based on the parameter values and a selection policy defined in the first network, i.e. the selection policy is defined by the operator of the first network and is accessible by the network selection system (Ladegaard, paragraph 0015-0018, see also paragraphs 0012-0020, 0036-0038, Fig. 2). Thus Ladegaard teaches wherein a peer of a first network associates with parameter values of a first network in a second network to filter calls. Accordingly, it would have been obvious at the time of the invention to have incorporated the teachings of Ladegaard with the invention of Mayer. Both prior arts relate to managing parameters between telecommunication operators in multiple networks (see abstracts of Mayer &

Ladegaard). Mayer provides motivation by stating wherein home parameters at an IS 60's operator may flow to other IS 60s in the case of a peer-to-peer type architecture). Thus one of ordinary skill in the art would have been motivated to combine the teachings of call peer parameters as in Ladegaard with the invention of Mayer to modify parameter values to filter ingress/egress calls as in the present application.

***Double Patenting***

8. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

9. Claims 1-19, 21-25 and 28-36 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-33 of copending Application No. 12/748,321. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

The subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows:

**Regarding instant claim 1,** this claim discloses as following:

"A method, comprising: filtering an ingress call based on a plurality of ingress-call parameter values; converting a filtered ingress-call parameter value and at least one filtered ingress-call-peer parameter value from a plurality of ingress-call-peer parameter values to an egress-call parameter value and an egress-call-peer parameter value, respectively; filtering an egress call based on a plurality of egress-call parameter values, the plurality of egress-call parameter values including the egress-call parameter value; and modifying a parameter value for the egress call based on a plurality of egress-call-peer parameter values, the plurality of egress-call-peer parameter values including the egress-call-peer parameter value."

**Similarly, Regarding copending claim 1,** this claim discloses as following:

"A method, comprising: filtering an ingress call based on a plurality of ingress-call parameter values; converting a filtered ingress-call parameter value and at least one filtered ingress-call-peer parameter value from a plurality of ingress-call-peer parameter values to an egress-call parameter value and an egress-call-peer parameter value, respectively; filtering an egress call based on a plurality of egress-call parameter values, the plurality of egress-call parameter values including the egress-call parameter value; and modifying a parameter value for the egress call based on a plurality of egress-call-peer parameter values, the plurality of egress-call-peer parameter values including the egress-call-peer parameter value."

The claimed invention of instant claim 1 is fully disclosed in copending independent claim 1.

**Furthermore, Regarding instant claim 2,** this claim is fully disclosed in copending claim 2.

**Regarding instant claim 3,** this claim is fully disclosed in copending claim 3.

**Regarding instant claim 4,** this claim is fully disclosed in copending claim 4.

**Regarding instant claim 5,** this claim is fully disclosed in copending claim 5.

**Regarding instant claim 6,** this claim is fully disclosed in copending claim 6.

**Regarding instant claim 7,** this claim is fully disclosed in copending claim 7.

**Regarding instant claim 8,** this claim is fully disclosed in copending claim 8.

**Regarding instant claim 9,** this claim is fully disclosed in copending claim 9.

**Regarding instant claim 10,** this claim is fully disclosed in copending claim 10.

**Regarding instant claim 11,** this claim is fully disclosed in copending claim 11.

**Regarding instant claim 12,** this claim is fully disclosed in copending claim 12.

**Regarding instant claim 13,** this claim is fully disclosed in copending claim 13.

**Regarding instant claim 14,** this claim is fully disclosed in copending claim 14.

**Regarding instant claim 15,** this claim is fully disclosed in copending claim 15.

**Regarding instant claim 16,** this claim is fully disclosed in copending claim 16.

**Regarding instant claim 17,** this claim is fully disclosed in copending claim 17.

**Regarding instant claim 18,** this claim is fully disclosed in copending claim 18.

**Regarding instant claim 19,** this claim is fully disclosed in copending claim 19.

**Regarding instant claim 21,** this claim is fully disclosed in copending claim 20.

**Regarding instant claim 22,** this claim is fully disclosed in copending claim 21.

**Regarding instant claim 23,** this claim is fully disclosed in copending claim 22.

**Regarding instant claim 24,** this claim is fully disclosed in copending claim 23.

**Regarding instant claim 28,** this claim discloses as following:

"A computer program stored on a computer-readable medium, the computer program comprising: an identifying instruction configured to identify a source associated with an ingress call; an applying instruction configured to apply a common source policy to the ingress call based on the source; a tagging instruction configured to tag a parameter value associated with the ingress call based on the common source policy to produce a tagged parameter value; and a matching instruction configured to match an egress call with a corresponding ingress call based on the tagged parameter value."

**Similarly, Regarding copending claim 25,** this claim discloses as following:

"A computer program stored on a computer-readable medium, the computer program comprising: an identifying instruction configured to identify a source associated with an ingress call; an applying instruction configured to apply a common source policy to the ingress call based on the source; a tagging instruction configured to tag a parameter value associated with the ingress call based on the common source policy to produce a tagged parameter value; and a matching instruction configured to match an egress call with a corresponding ingress call based on the tagged parameter value."

The claimed invention of instant claim 28 is fully disclosed in copending independent claim 25.

**Regarding instant claim 29,** this claim discloses as following:

"A method, comprising; matching a source endpoint to an ingress call when the ingress call is associated with a specifically-determinable source endpoint; and identifying a first destination from a plurality of destinations associated with the ingress call when the ingress call is not associated with a specifically-determinable source endpoint, the identifying being based on at least one of a filter parameter, an administrative-policy parameter or a run-time criteria parameter."

**Similarly, Regarding copending claim 26,** this claim discloses as following:

"A method, comprising; matching a source endpoint to an ingress call when the ingress call is associated with a specifically-determinable source endpoint; and identifying a first destination from a plurality of destinations associated with the ingress call when the ingress call is not associated with a specifically-determinable source endpoint, the identifying being based on at least one of a filter parameter, an administrative-policy parameter or a run-time criteria parameter."

The claimed invention of instant claim 29 is fully disclosed in copending independent claim 25.

**Furthermore,**

**Regarding instant claim 30,** this claim is fully disclosed in copending claim 27.

**Regarding instant claim 31,** this claim is fully disclosed in copending claim 28.

**Regarding instant claim 32,** this claim is fully disclosed in copending claim 29.

**Regarding instant claim 33,** this claim is fully disclosed in copending claim 30.

**Regarding instant claim 34,** this claim is fully disclosed in copending claim 31.

**Regarding instant claim 35,** this claim is fully disclosed in copending claim 32.

**Regarding instant claim 36,** this claim is fully disclosed in copending claim 33.

10. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

11. Claims 26, 27 and 37-44 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 25-33 of copending Application No. 12/748,321. Although the conflicting claims are not identical, they are not patentably distinct from each other.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

The subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows:

**Regarding instant claim 26,** this claim discloses as following:

“A computer program stored on a computer-readable medium, the computer program comprising: a first filtering instruction to filter an ingress call based on a plurality of ingress-call parameter values; a converting instruction to convert a filtered ingress-call parameter value and at least one filtered ingress-call-peer parameter value from a plurality of ingress-call-peer parameter values to an egress-call parameter value and an egress-call-peer parameter value, respectively; a second filtering instruction configured to filter an egress call based on a plurality of egress-call parameter values,

the plurality of egress-call parameter values including the egress-call parameter value; and a second modifying instruction configured to modify a parameter value for the egress call based on a plurality of egress-call-peer parameter values, the plurality of egress-call-peer parameter values including the egress-call-peer parameter value."

**Similarly, Regarding copending claim 1,** this claim discloses as following:

"A method, comprising: filtering an ingress call based on a plurality of ingress-call parameter values; converting a filtered ingress-call parameter value and at least one filtered ingress-call-peer parameter value from a plurality of ingress-call-peer parameter values to an egress-call parameter value and an egress-call-peer parameter value, respectively; filtering an egress call based on a plurality of egress-call parameter values, the plurality of egress-call parameter values including the egress-call parameter value; and modifying a parameter value for the egress call based on a plurality of egress-call-peer parameter values, the plurality of egress-call-peer parameter values including the egress-call-peer parameter value."

The claimed computer readable medium of claim 26 is an obvious variation to the corresponding method of claim 1 in the copending application. One of ordinary skill in the art would have been motivated to implement said computer readable medium into a method or process as in the copending application.

**Regarding instant claim 27,** this claim discloses as following:

"A method, comprising: identifying a source associated with an ingress call; applying a common source policy to the ingress call based on the source; tagging a

parameter value associated with the ingress call based on the common source policy to produce a tagged parameter value; and matching an egress call associated with the ingress call based on the tagged parameter value."

**Similarly, Regarding copending claim 25,** this claim discloses as following:

"A computer program stored on a computer-readable medium, the computer program comprising: an identifying instruction configured to identify a source associated with an ingress call; an applying instruction configured to apply a common source policy to the ingress call based on the source; a tagging instruction configured to tag a parameter value associated with the ingress call based on the common source policy to produce a tagged parameter value; and a matching instruction configured to match an egress call with a corresponding ingress call based on the tagged parameter value."

The claimed method of claim 27 is an obvious variation to the corresponding computer program of claim 25 in the copending application. One of ordinary skill in the art would have been motivated to implement said method into a computer readable medium as in the copending application.

**Regarding instant claim 37**, this claim is an obvious variation disclosed in copending claim 26.

**Regarding instant claim 38**, this claim is an obvious variation disclosed in copending claim 27.

**Regarding instant claim 39**, this claim is an obvious variation disclosed in copending claim 28.

**Regarding instant claim 40**, this claim is an obvious variation disclosed in copending claim 29.

**Regarding instant claim 41**, this claim is an obvious variation disclosed in copending claim 30.

**Regarding instant claim 42**, this claim is an obvious variation disclosed in copending claim 31.

**Regarding instant claim 43**, this claim is an obvious variation disclosed in copending claim 32.

**Regarding instant claim 44**, this claim is an obvious variation disclosed in copending claim 33.

Furthermore, Examiner notes there is no apparent reason why applicant would be prevented from presenting claims corresponding to those of the instant application in the other copending application. See *In re Schneller,* 397 F.2d 350, 158 USPQ 210 (CCPA1968). See also MPEP § 804.

## ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NAJEEB ANSARI whose telephone number is (571)270-5446. The examiner can normally be reached on Monday thru Friday 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOE CHENG can be reached on (571)272-3344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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